

REMARKS

Claims 1, 3-6, 8-11, 13-18, 21-23, 26-28, and 31-34 are pending in this application. In the official action, claims 1, 3-6, 8-11, 13-18, 21-23, 26-28, and 31-34 were rejected. In this Amendment, claims 1, 6, 11, 13-15, 26-28, and 31-34 have been amended. Claims 1, 3-6, 8-11, 13-18, 21-23, 26-28, and 31-34 thus remain for consideration.

§101 Rejections

Claims 11, 13-15, and 26-28 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter.

Claims 11, 13-15, and 26-28 have been amended. Applicant believes that the amendments to claims 11, 13-15, and 26-28 render the claims compliant with §101. Accordingly, Applicant requests that the rejections under §101 be withdrawn.

§112 Rejections

Claims 33 and 34 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Claims 33 and 34 have been amended. Applicant believes that the amendments to claims 33 and 34 render the claims compliant with §112. Accordingly, Applicant requests that the rejections under §112 be withdrawn.

§103 Rejections

Claim 1, 3, 5, 6, 8, 10, 11, 13, 15-18, 21-23, 26-28, and 31-34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Panasonic in view of Lawler et al.

Claims 4, 9, and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Panasonic in view of Lawler et al. and further in view of Lemmons.

Independent claims 1, 6, 11, and 31-34 have been amended

herein so as to respectively include the feature: "when the user selects a future program, it is judged that the user desires to program the recording of the indicated program." Supporting disclosure for such feature can be found in the specification at, for example, paragraph [0044], lines 1-3. As a result and as an example, amended independent claim 1 now recites in part the following:

a display being operable to have displayed thereon in response to a control signal from [a] display controller ... representations of programs for a plurality of channels having a plural number of past programs ... a plural number of present programs ... and a plural number of future programs ...

means for enabling a user to select a desired ... program therefrom for programming a recording of the program or for watching or listening to the program ...

when the user selects a future program, it is judged that the user desires to program the recording of the indicated program.

It is respectfully submitted that neither Panasonic, Lawler, nor Lemmons discloses the above features now recited in claim 1. Accordingly, it is respectfully submitted that claim 1 as presented herein is distinguishable from Panasonic, Lawler, and Lemmons - taken either alone or in combination - on at least this basis.

For reasons similar or somewhat similar to those previously described with regard to claim 1, it is also respectfully submitted that independent claims 6, 11, and 31-34 as presented herein are distinguishable from Panasonic, Lawler, and Lemmons - taken either alone or in combination.

Claims 3-5, 8-10, 13-18, 21-23, and 26-28 are dependent from one of the amended independent claims and, as such, are

also distinguishable from Panasonic, Lawler, and Lemmons - taken either alone or in combination - for at least the reasons discussed above.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional rejections and/or objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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